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SUBJECT: CHAD: 2006 CHILD LABOR UPDATE

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¶1. Summary: To date, the Chadian Government's efforts to combat the worst forms of child labor have been centered on laying the legal foundation to meet its commitments to international labor conventions aimed at protecting children. While progress has been made at completing studies that identify the causes and magnitude of child labor abuses, progress has been slow in implementing legislation and dedicating the financial and personnel resources needed to actively enforce that legislation. End summary.

#### Legal Regime

¶2. A comprehensive executive decree harmonizing Chad's legal code with ILO 182 and 138 has been completed by the Ministry of Justice, but has yet to be submitted to the Council of Ministers for its concurrence and subsequent approval by President Deby. In addition to outlining working conditions and limitations on acceptable forms of child labor by age group, the decree includes language addressing the worst forms of child labor including prostitution and child soldiering. Because the labor code does not currently include punitive provisions to allow for prosecution of child labor violations, the decree will be a watershed in providing the legal means for effective enforcement. The decree specifies that the enforcement and punitive provisions article of the labor code (article 190) shall be applied to the violations identified in the decree.

#### Regulations for Implementation and Enforcement of the Legal Regime

¶3. The prosecution of child labor abuses has to date been rare in Chad due to the lack of child labor-specific provisions in the existing labor code, a weak and backlogged judicial system and a shortage of labor inspectors.

¶4. Due in large measure to the absence of child-labor provisions in the penal code, the judicial system remains a weak link in efforts to eliminate the worst forms of child labor. The Child Protection Office of the Ministry of Justice reported that in August, a 16-year-old child was rescued from human traffickers who were attempting to take the child across the Chadian border to Nigeria. The traffickers were detained and their case referred to the Ministry of Justice. To date, the traffickers have yet to be prosecuted because of the lack of child-specific provisions in the penal code. The approval of the executive decree by the Council of Ministers and the President regulating child labor will allow for the penal code to be applied to the prosecution of child labor cases.

Social Programs and Withdrawal of Children from the Worst Forms of

¶15. The UNICEF child protection office reports that to date some 300 child herders have been rescued through the intervention with local authorities of non-governmental and church-based organizations. In this highly visible form of child labor in which non-nomad children are leased by their families/villages to nomad herdsman, local NGOs have formed a coordinative network to identify child herders and to work with communities for their return.

¶16. In early 2006, some 40 street children begging outside an NQDjamena mosque were rescued by a local NGO (Bethesda), which initially provided shelter and registered and enrolled the children in school. Lacking resources for food, clothing and continued shelter, the NGO later released the children who, lacking support, returned to the streets.

¶17. UNICEF also reports that a Catholic-church supported NGO, the Justice and Peace Commission, initiated in 2006 a model and, to date unique, program for child domestic workers that combines rescue, shelter, counseling, vocational training, placement and follow up. No data have as yet been released on the number of children affected by this program. In conjunction with refugee and internally displaced persons (IDP) facilities in the East and South, Qchild friendly centersQ have been established by UNICEF that provide shelter, education and training opportunities not only to refugee/IDP children, but to those children in need from areas surrounding the camps.

#### Comprehensive Policy to Eliminate Child Labor

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¶18. The Government of Chad has yet to issue a comprehensive plan to eliminate the worst forms of child labor. However, UN, NGO and church-affiliated organizations continue to work with the ministries of justice, labor, education and social action and family to identify target groups and to raise public awareness. An impact study that will expand on the list of the worst forms of child labor is scheduled to be conducted by UNICEF in 2007. The study is to focus particular attention on urban areas and on the sexual exploitation of minors in ChadQs growing petroleum sector.

#### Progress toward Elimination of Child Labor

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¶19. Government ministries are inching forward in the effort to combat the worst forms of child labor. Extreme poverty, a weak educational system and lack of capacity and resources remain significant obstacles.

¶110. The most visible progress was in prevention and in awareness-raising. The rising involvement at the grass-roots level of community-based NGOs to identify, rescue and register children is of particular note, but resource constraints limit the capacity of these organizations to provide the educational and training opportunities needed to allow child victims to pursue acceptable alternatives.

¶111. However, a positive development in 2006 was the elimination of school fees and the provision of free textbooks and school supplies at public primary schools. This represented a key step forward in providing a means for rescued children to be educated as well as being an alternative for children at risk of exploitation.

¶112. Comment: A major cabinet reshuffle that included the justice and other ministers responsible for implementing measures to combat the worst forms of child labor helps explain the slow progress in this and other social areas of the Chadian government. However, the sharp increase in 2006 of armed rebel opposition to the Government has diverted both executive attention and financial resources from child labor and other social problems. An urgent next step for the

Government is promulgation and application of the child labor decree currently before the Council of Ministers. Absent effective legal means to prosecute child labor abuses, government, UN and NGO programs to raise public awareness and to provide abused and vulnerable children with shelter, education and training can have only limited effect.

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